



U.S. Department of Justice
United States Attorney
Western District of New York

Further inquiries: (716)843-5814

138 Delaware Avenue
Buffalo, New York 14202

PRESS RELEASE

October 31, 2003

RE: UNITED STATES v. ROBERT E. DELVICARIO, JR.

United States District Judge Richard J. Arcara, today, sentenced **Robert E. DelVicario, Jr.**, age 44, formerly of Williamsville, New York, to a 16 month term of incarceration. DelVicario, who was the a former Assistant Special Agent-in-Charge of the Buffalo Office of the United States Customs Service pled guilty to making a false statement, one count of a sixteen count Indictment. DelVicario's twenty year career with the Customs Service ended in disgrace when he removed an evidence bag containing over \$95,000 from a secure evidence room in May 2002.

After the matter came under investigation, DelVicario first denied any knowledge of the theft. However, after being confronted with strong evidence of his involvement, he confessed to having removed the funds in order to teach supposedly careless employees a lesson. In requesting sentencing leniency, DelVicario had maintained that the evidence bag had been left inadvertently outside a security locker inside the evidence room by a subordinate employee and that because of the stress of his management situation simply made a "bad decision" to remove the bag.

However, in declining to grant a downward departure from the applicable sentencing range, Judge Arcara rebuked DeVicario for abusing his position of trust with Customs and for causing hardship and embarrassment to his family. Calling DeVicario's conduct inexplicable, Arcara sentenced him to the 16 months, a term at about the middle of the available sentencing range.

Assistant U.S. Attorney Gregory L. Brown prosecuted the case for the United States. The prosecution culminated from an internal investigation by the United States Customs Service, Office of Internal Affairs, Buffalo, New York, under the direction of Robert K. Tevens, Resident Agent in Charge.

* * *